

Remarks

Claims 1-16 are currently pending, with claims 1 and 9 being independent claims. Claims 3, 4, 6, 7, 14, and 15 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 6 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,679,126 to Kolek (hereafter “the Kolek patent”). Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kolek patent.

Applicant appreciates the indication that claims 9-13 and 16 are in condition for allowance and that claims 2, 5, 14 and 15 include allowable subject matter. Applicant respectfully requests reconsideration of the present application in view of the following remarks.

I. The Claims are Definite

Claims 3, 4, 6, 7, 14, and 15 stand rejected under 35 U.S.C. § 112, second paragraph.

A. The Recitation of “Applying a Textured Tool Surface” as Recited in Claims 3 and 4 is Definite

Claims 3 and 4 each recite a method step of “applying a textured tool surface to the pigment coated reinforcement material.” It is clear from the language of the claim that the textured tool surface is applied once step (b) in claim 1 has been performed, as the “textured tool surface” is applied to the pigment coated reinforcement material “after the reinforcement material is coated with the pigment particles.” Therefore, Applicant respectfully submits that claims 3 and 4 are clear as to where the application of the tool surface to the coated material occurs in the process.

Additionally, the Examiner raised concerns with respect to how the steps recited in claims 3 and 4 can be carried out without damaging or removing the pigment. Applicant submits that the purpose of “applying a textured tool surface to the pigment coated reinforcement material,” as recited in claims 3 and 4 is intended to modify, for example, the reflectivity and gloss of the pigment coat. *See* Specification, page 12, line 11-page 13, line 10. Thus, the pigments on the composite surfaces may be “significantly influenced by the surface of the tool”, as pointed out in the present specification. *See* Specification, page 12, line 21-page 12, line 1.

Based on the foregoing, Applicant respectfully submits that claims 3 and 4 satisfy the requirements of 112, second paragraph. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 3 and 4 as these claims are in condition for allowance.

B. *Claims 6 and 14 are Definite as they no Longer Employ Tradenames*

Claims 6 and 14 now recite specific properties of the Kevlar® and Spectra® fiber materials that were included in the specification. Kevlar® is, and was at the time of filing of this application an organic fiber made from paraphenylene terephthalamide, and Spectra® was and continues to be a organic fiber material made from polyethylene. These characteristics are included in claims 6 and 14. In accordance with MPEP § 608.01(v), Applicant has amended the specification to include the technical description of the trademark at the time of filing of this application to avoid introduction of new matter.

Based on the foregoing, Applicant respectfully submits that claims 6 and 14 are definite. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 6 and 14 as these claims are in condition for allowance.

C. *“Inks” and “Dyes” as used in Claims 7 and 15 is Definite*

Claims 7 and 15 recite inks and dyes as examples of pigments. The Examiner states that the use of inks and dyes, which are usually liquids renders this claim “vague and indefinite, and contradictory” because the independent claims require “pigment particles.” Applicant respectfully requests reconsideration of this rejection in view of the following remarks.

Applicant has described the use of liquids in connection with, for example, a fluidized bed reactor and has consistently referred to the “cloud” of pigment within the reactor as including particles of pigment. *See, e.g.*, Specification, page 10, lines 1-20; page 11, lines 12-21. Additionally, one of ordinary skill in the art would recognize that particles may include liquid. This is evident from the definition of “aerosol”, which may be defined as “a suspension of colloidal *particles* in a gas”. *See* WEBSTER’S NEW WORLD COLLEGE DICTIONARY at 21 (1999).

Based on the foregoing, Applicant respectfully submits that the use of the term “particle” in claims 1 and 9 does not exclude liquids, including, for example, inks and dyes from the scope of the claim. Thus, claims 7 and 15 are consistent with the language used in claims 1 and 9, respectively. Therefore, Applicant respectfully submits that the Examiner withdraw the rejection of claims 7 and 15 as these claims are in condition for allowance.

II. Claims 1 and 6-8 are Patentable Over the Kolek Patent

Claims 1, 6 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Kolek patent. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kolek patent. Reconsideration of these rejections is respectfully requested in view of the following remarks.

Claim 1 recites a method including “(b)coating the reinforcement material with pigment particles to produce a pigment coated reinforcement material,” and “(c) applying a resin material to the pigment coated reinforcement material.”

As recognized by the Examiner, the Kolek patent discloses a method including “preliminarily mixing the desired amount of microspheres into the completely reactive liquid thermosettable resinous material” and then “impregnating completely [the] filaments of glass fibers either solid or hollow in a mixture of the resin and microspheres in such a manner that the filaments of glass fibers are spread appears by a minimum of tension to enable the resin-microsphere mixture to penetrate between the filaments.” *See* col. 1, line 66-col. 2, line 6.

The Examiner states that “[s]ince steps b and c of claim1 are not in a specific order a mixture of microspheres and resin reads on the steps.” *See* Office Action, page 3, § 5. Applicant respectfully disagrees with this analysis. Step (b) of claim 1 recites “coating the reinforcement material with pigment particles *to produce a pigment coated reinforcement material.*” Thus by coating the reinforcement material with pigment particles, a pigment coated reinforcement material is produced. Step (c) recites “applying a resin material *to the pigment coated reinforcement material.*” Therefore, the reinforcement material is coated with the pigment to produce the pigment coated reinforcement material, per the express language of the claim.

Therefore, the present invention is distinguishable from the Kolek patent, in which microspheres are mixed with a completely reactive liquid thermosettable resinous material prior to application to glass fibers.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentable over the Kolek patent. Claims 3-4 and 6-8 depend from claim 1 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 3-4 and 6-8 as these claims are in condition for allowance.

III. Request for an Interview

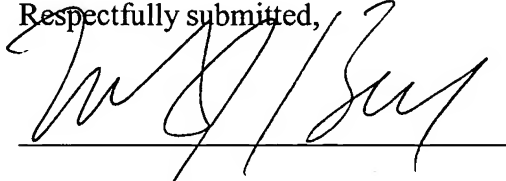
Applicant respectfully submits that this response puts the present application in condition for allowance. However, to the extent that the Examiner does not agree with a position taken by the Applicant in this response, Applicant respectfully requests that the Examiner contact the undersigned for a personal interview prior to the issuance of a second office action to expedite the allowance of the present application.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Bell", is written over a horizontal line.

Michael J. Bell, Esq. (Reg. No. 39,604)
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Date: September 15, 2005

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